IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE SRI JUSTICE N.V. RAMANA**

**WRIT PETITION NO.29119 of 1995**

Between:

1 V. Munirathnam, s/o. Rajagopal Reddy,
Sarpanch K.V.B Puram Gram Panchayat, KVB Puram village and

Mandal, Chittoor District.
2 P.L. Ramamurthy, S/o. Lingichetty,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
3 A.R. Sivaram, S/o. Rosi Reddy,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
4 A. Ganesh Reddy, S/o. Kannaiah Reddy,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
5 K. Venkatamuni Reddy, s/o. Desi Reddy,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
6 K.Tirupalu, S/o. Kuppaiah,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
7 K.Subramanyam, S/o. Ranga Reddy,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
8 K. Patchaiah, S/o. Bodeiah,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
9 K. kannaiah, S/o. Krishna Reddy,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
10 Tata Ganeshan, S/o. Govinda Swamy,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
11 B.S. Kuppuswamy, S/o. Subramanyam,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
12 M.Yanadi, S/o. Munaswamy Setty,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
13 V. Venkateswarlu, S/o. Parthasarathi,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
14 P. Sunderam, s/o. subramanyam Setty,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
15 K. Venkatamuni, S/o. Muniratham,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
16 A. Dilli Reddy, s/o. Rami Reddy,
R/o. K.V.B Puram, Vil & Mandal, Chittoor District.
17 A. Munikrishnaiah, S/o. Desi Reddy,

R/o. K.V.B Puram, Vil & Mandal, Chittoor District.

**..... PETITIONERS**

AND

1 The Joint Collector,
Chittoor District, Chittoor.
2 The Revenue Divisional Officer,
Tirupathi, Chittoor District.
3 The Mandal Revenue Officer,
K.V.B. Puram, Chittoor District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus directing the respondents to consider the applications filed by the petitioners for grant of the land comprised in S.Nos. 50/1, 50/2, 53/1 to 53/5 and 54/1 to 54/3 of K.V.B. Puram village to the public purposes like construction of M.R.O's Office, M.D.O.'s Office, Agriculture office and Godown, Play Ground for Z.P. High School, Junior College, Veterinary Hospital, Electrical Sub-Station and Police Station etc. and grant the same first and then grant the house site pattas of the remaining land to the landless poor persons of K.V.B. Puram village before assigning the same to outsiders.

**Counsel for the Petitioners: MR.V.SUDHAKAR REDDY**

**Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE**

**The Court made the following :**

**ORDER:**

The relief sought by the petitioners in this writ petition is that the land in Survey Nos.50/1, 50/2, 53/1 to 53/5 and 54/1 to 54/3 of K.V.B. Puram village, Chittoor District should not be assigned to outsiders and it must be allotted for public purposes i.e., for construction of Government Offices and for grant of house site pattas to the landless poor persons of K.V.B.Puram village.

According to the petitioners the Government waste land to an extent of Ac.36.77 cents situated in Survey Nos.50/1, 50/2, 53/1 to 53/5 and 54/1 to 54/3 of K.V.B. Puram village is more convenient for establishment of public offices like Mandal Revenue Office, Mandal Development Office, Agriculture Office and Godown, Play Ground for Z.P. High School, Junior College, Veterinary Hospital, Electrical Sub-station and Police Station etc. Hence, the petitioners and other villagers of K.V.B. Puram submitted their representations on 05.11.1995 to the third respondent – Mandal Revenue Officer, K.V.B. Puram in 'Prajalavaddaku Palana' programme for allotment of said land for construction of Government Offices and for grant of house site pattas to the landless poor persons of K.V.B. Puram village. The grievance of the petitioners is that without considering their representation, the respondents are proposing to allot the said land to the residents of Kalathuru village for house sites.

Hence, the writ petition.

This court, while admitting the writ petition on 22.12.1995, passed an interim order in W.P.M.P.No.35962 of 1995 directing the respondents not to alienate or assign the land in question to any individual except the residents of K.V.B.Puram.

Even though the writ petition was admitted and an interim order was passed in the year 1995, no counter-affidavit is filed by the respondents so far.

Learned counsel for the petitioners submits that the writ petition may be disposed of with a direction that the representations made by the petitioners and others to the 3rd respondent on 05.11.1995 may be considered and disposed of.

Normally, the allotment of land by the Government to any particular organization or persons will depend upon the administrative exigencies and is within the exclusive domain of the Government and this Court cannot interfere with such assignment unless it is contrary to law and violative of the principles of natural justice.

However, having regard to the fact that though the writ petition was admitted and an interim order was passed in the year 1995, no counter affidavit is filed by the respondents so far, in stead of keeping the writ petition pending, I deem it appropriate to dispose of the writ petition with the following direction:

The respondents are directed to consider the representations said to have been made by the petitioners on 05.11.1995 according to law before passing orders with regard to assignment of land in question.

Accordingly, the Writ Petition is disposed of. No costs.

_____

**(N.V. RAMANA, J)**

Date: 27.10.2004

Nsr

To

1 The Joint Collector,
Chittoor District, Chittoor.
2 The Revenue Divisional Officer,
Tirupathi, Chittoor District.
3 The Mandal Revenue Officer,
K.V.B. Puram, Chittoor District.

4 Two CCs to G.P for Revenue, High Court Buildings, Hyderabad

(O.U.T)

5 Two CD copies.